

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

KEITH BOX,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:15CV00021 ERW
	)	
JEREMIAH W. NIXON, et al.,	)	
	)	
Defendants,	)	

**MEMORANDUM AND ORDER**

This matter is before the Court on plaintiff’s motion for reconsideration of the dismissal of this action. Having reviewed plaintiff’s motion in detailed, the Court finds that it is without merit.<sup>1</sup> As such, the Court declines to vacate its prior Order of Dismissal.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff’s motion for reconsideration of the dismissal of this action [ECF No. 25] is **DENIED**.

**IT IS FURTHER ORDERED** that to the extent plaintiff wishes to file an appeal of the dismissal in the Eighth Circuit Court of Appeals, he should file a separate notice of appeal in this Court forthwith.<sup>2</sup>

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<sup>1</sup>The majority of plaintiff’s allegations are “clearly baseless.” Allegations are clearly baseless if they are “fanciful,” “delusional,” or “fantastic.” *Denton v. Hernandez*, 504 U.S. 25, 32-33 (1992). As noted in the dismissal order, the allegations in the complaint are also factually frivolous under *Denton*.

<sup>2</sup> Although plaintiff titles his motion one for reconsideration and appeal, it is unclear whether plaintiff seeks to appeal the dismissal of this action to the Eighth Circuit Court of Appeals or if he simply seeks “reconsideration” of the dismissal in this Court.

**IT IS FURTHER ORDERED** that an appeal of this dismissal would not be taken in good faith.

So Ordered this 11<sup>th</sup> day of May, 2015.

A handwritten signature in black ink, appearing to read "E. Richard Webber". The signature is fluid and cursive, with a large initial "E" and a long, sweeping underline.

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E. RICHARD WEBBER  
SENIOR UNITED STATES DISTRICT JUDGE